



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
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सं० 15] नई दिल्ली, शनिवार, अप्रैल 24, 1993/वैशाख 4, 1915  
No. 15] NEW DELHI, SATURDAY, APRIL 24, 1993/VAISAKHA 4, 1915

इस खण्ड में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii)  
PART II—Section 3—Sub-section (iii)

केंद्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासन को छोड़कर) द्वारा जारी किए गए आदेश और अधिसूचनाएं  
Orders and Notifications issued by Central Authorities (other than Administrations of Union  
Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 31 मार्च, 1993

या. घ. 80 — लोक प्रतिनिधित्व अधिनियम, 1951  
(1951 का 43) का धारा 106 के अनुसरण में, निर्वाचन  
आयोग 1991 की निर्वाचन अर्जी सं. 9 में मध्य प्रदेश उच्च  
न्यायालय, इन्दौर बेंच के तारीख 7 दिसम्बर, 1992 के  
आदेश का एतद्वारा प्रकाशित करता है।

[सं. 82/म.प्र.—जी.सं./9/91/93]

आदेश से,

घनश्याम खोहर, सचिव

ELECTION COMMISSION OF INDIA

New Delhi, the 31st March, 1993

O.N. 80.—In pursuance of section 104 of the Representa-  
tion of the People Act, 1951 (43 of 1951) the Election Com-  
mission of India hereby publishes the order of the High  
Court of Madhya Pradesh, Indore Bench dated 7th Decem-  
ber, 1992 in Election Petition No. 9 of 1991.

[No. 82/MP-HP/9/91/93]

By order,

GHANSHYAM KHOHAR, Secy.

XI-HC—18

उच्च न्यायालय, मध्यप्रदेश, जबलपुर BENCH AT INDORE

आवेदक

प्रकीर्ण सिविल/दाण्डिक मामला कमांक

Election Petition 9/91

विरोधी पक्षकार

Jhamaklal s/o Late Shri Ratan Lal,  
Khariwal R/o Khariwal Mohalla,  
Jaora, Distt. Ratlam (M.P.)

VS.

1. Dr. Laxminarayan Pande,  
S/o Shri Jammalaji,  
R/o Churi Gali,  
Jaora Distt. Ratlam (M.P.)
2. Mahendra Singh s/o Mohan Singh  
R/o Village Kalukhedra,  
Tehsil Jaora Distt. Ratlam.
3. Bano Bee d/o Nurkhan,  
R/o Bhaisa Pahad, Kila Road,  
Mandsaur.
4. Omprakash s/o Kanhaiyalal  
R/o Housing Colony, Mandsaur.

## PETITION U/PROVISIONS OF THE REPRESENTATION OF PEOPLE ACT, 1951

याचिका आवेदक के वकील श्री Jhamaklal—petitioner. द्वारा  
दिनांक 31-7-91 को प्रस्तुत की गई।

आवेदनपत्र दिनांक 24-8-92

को माननीय न्यायमूर्ति श्री V.D. Gyani

और माननीय न्यायमूर्ति श्री..... के समक्ष आवेदक के वकील श्री A.M. Mathur with Shri Piyus Mathur,  
और विरोधी पक्षकार के वकील श्री K.G. Maheshwari with Shri C.L. Yada

की उपस्थिति में कृतिम रुतबाई के लिये प्रस्तुत किया जाना था। न्यायालय द्वारा निम्नलिखित आदेश परित किया गया :-

आदेश

Attached

## ELECTION PETITION NO. 9/91

Jhamaklal Vs. Laxminarayan Pande and others

## ORDER

The respondent no. 1 has been declared elected to the Lok Sabha from the Mandsaur Parliamentary Constituency in the elections held on 23rd May, 1991 with result declared on 17-6-91. The petitioner, who is an elector in the 40th Mandsaur Parliamentary Constituency, by this petition under section 81 read with sec. 100 (1) and sec. 123 of the Representation of People Act, 1951 (for short 'the Act') has challenged the election of the respondent no. 1 as the returned candidate, from the aforesaid Constituency, inter alia on the ground of corrupt practice and has prayed for a declaring the election of respondent no. 1 as void.

2. Notices of this petition were issued, accordingly the respondents filed their appearance.

3. Respondent no. 1 has moved two applications (I.A. No. 15/91 under sec. 86 of the Act, and under Or. 7 r. 11 C.P.C. read with sec. 151 C.P.C. and I. A. No. 91/92 under sec. 86, 81 (3) of the Act, read with Or. 7 r. 11 and under sec. 151 C.P.C.) raising certain preliminary objections as regards maintainability of the petition, and are represented through their respective counsel, arguments for and against have been addressed and advanced by Shri K. G. Maheshwari learned counsel for respondent no. 1 and Shri A. M. Mathur, senior Advocate with Shri P. Mathur, for the petitioner. Shri Maheshwari has on 19-7-1992 also placed on record copy of election petition alongwith summons, as served on the respondent no. 1 support of the objections raised by him.

7. Shri Mathur has contended that rules of procedure are hand maid not a mistress of justice. A defect in attestation of an affidavit in conformity to requirement of Rule 94-A is not a substantial defect as to prove fatal to the election petition. He also elaborated his arguments with reference to case law, the meaning of material particulars, the nature of election petition and the duty of the court in such matters.

8. Before proceeding to deal with the preliminary objection regarding the affidavit, the first question that arises for consideration in view of the rival contentions is "whether it (the affidavit) forms an integral part of the election petition?" This question necessarily takes me to sec. 83 of the Act, which deals with contents of the petition. The proviso to clause (1) sub-sec. (1) of sec. 83 reads as follows :

Clause (c) of sub-sec. 1 of sec. 83 :

An election petition...

(c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure 1908 (5 of 1908) for the verification of pleadings:

(Provided that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.)

9. Rule 94(A) of the Election Rules 1961 clearly provides that the affidavit referred to in the proviso to sub-sec. 1 of sec. 83 shall be sworn before a magistrate of the First Class or a Notary or Commissioner of Oath and shall be in form 25. It is also evident from clause (a) and (b) of sec. 83 that an Election petition shall contain a concise statement of material facts and also shall set forth full particulars of any corrupt practice that the petitioner alleges. These two requirements are mandatory in nature, whenever there are allegations of corrupt practice made in an election petition. The petitioner has detailed alleged corrupt practices in paragraphs 15 and 16 of the election petition.

10. Sec. 81(3) mandates every election petition shall be accompanied by as many as copies thereof as there are respondents and every such copy shall be attested by the petitioner under his own signature to be a true copy of the petition. The material facts relating to any corrupt practice made in a given case, be contained in a document and the petitioner without pleading the material facts, contained in such document, may refer to the document itself; but when such a reference is made in the election petition a copy of the document must be supplied. Sec. 81(3) of the Act, speaks of copies of petition and provides for attestation of every copy as true copy of the petition.

11. It cannot be disputed that serious charges of corrupt practice have been made by the petitioner as contained in paras 15 and 16 of the petition running into numerous sub paras. As has been pointed out by the Supreme Court in F. A. Sapa etc. etc. vs. Singora and Ors. (A.I.R. 1991 S.C. 1557), such an allegation involving corrupt practice must be viewed very seriously. In face of these allegations of corrupt practice an affidavit as contemplated by the proviso to sub-sec. (1) of sec. 83 of the Act forms an integral part of the election petition. The proviso requires that where the petitioner alleges any corrupt practice, the election petition shall also accompany by an affidavit in the prescribed form, in accordance with rule-94(A) in support of the allegations of such corrupt practices and the particulars thereof.

12. The Supreme Court dealing with this aspect of the matter in M. Kamalam vs. Dr. V. A. Syed Mohammed (A.I.R. 1978 S. C. 840) held as follows :

"Now the first question which arises is as to what constitute an election petition for the purpose of sec. 81, sub-sec. (3). Is it confined only to election

petition proper or does it also include a schedule or annexure contemplated in sub-sec. (2) of sec. 83 or a supporting affidavit referred to in the proviso to sec. 83, sub-sec. (1) ? To answer this question, we must turn to sec. 83 which deals with contents of an election petition. Sub-sec. (1) of that section sets out what an election petition shall contain and provides that it shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure 1908 for the verification of pleadings. The proviso requires that where the petitioner alleges any corrupt practice, the election petition shall also be accompanied by an affidavit in the prescribed forms in support of the allegation of such corrupt practice and the particulars thereof. The context in which the proviso occurs clearly suggests that the affidavit is intended to be regarded as part of the election."

13. A Division Bench of this Court in *Gangaram Benbil vs. Rashmi Parihar* (A.I.R. 1987 M.P. 208) following the decision in *M. Karunanidhi vs. H. V. Handa* (A.I.R. 1983 S.C. 558) and *M. Kamalam vs. Dr. V. S. Said Mohd.* (A.I.R. 1978 S.C. 840), has categorically held that an affidavit in support of allegations of corrupt practice forms integral Part of the election petition challenging an election on the ground of corrupt practice. The affidavit is intended to be regarded as a part of the election petition.

14. In the case at hand where allegations of corrupt practice have been made against the returned candidate, the respondent no. 1, the affidavit in support thereof, in view of the foregoing discussion must be held to be integral part of the election petition.

15. Coming to the next question whether the copy of the petition as served on the respondents is in compliance with the requirement of sec. 81(3) of the Act. Inasmuch as the affidavit which is an integral part of the petition does not bear any endorsement by the magistrate or officer or Notary administering oath to the petitioner, including the date and place and the designation of such officer administering the oath and attesting the affidavit. It cannot therefore be said to be a true copy of the petition.

16. Shri Mathur, learned counsel appearing for the petitioner placing reliance upon decision reported in *Ma. Shive My. vs. Maung MO* (A.I.R. 1922 P.C. 249) *Raja Inderjeet vs. Amar Singh* (A.I.R. 1923 P.C. 128), *Owners and Parties vs. Fernando Lopez* (A.I.R. 1989 SC 2206) and *Ganesh Trading Co. vs. Mojiram* (A.I.R. 1978 S.C. 484 and *Rajnarin vs. Smt. Indira Gandhi* (A.I.R. 1972 S.C. 1302), contended that these rules of procedure are meant to serve their object of cause of justice not to hinder its course, and their compliance should not be insisted upon to such an extent as to defeat the cause of justice. In *Ma. Shive My. case* (supra) while dealing with the question of grant of leave to amend was properly given in accordance with rules. In other case *Raja Inderjeet* (supra) the question before the Privy Council was about the admissibility of evidence under Or. 41 r. 27 C.P.C.

17. In *Owners and parties interested in M.V. 'Vai Pero' vs. Fernando Lopez* (A.I.R. 1989 S.C. 2206) the question before the Supreme Court was whether is omission of the witness's signature on his deposition recorded on commission as required by rule 4 of Chapter XXII of the Calcutta High Court rules, 1914, applicable to the Original Side, a defect fatal to the reception of the deposition in evidence even when the correctness and authenticity of the deposition is undisputed.

18. The question which arose for consideration before the Supreme Court in *M/s. Ganesh Trading Co. Vs. Moji Ram* (A.I.R. 1978 S.C. 484) was amendment under or 6 r. 17 C.P.C. in a suit by firm through partner.

19. *Raj Narain Vs. Indira Gandhi* (A.I.R. 1972 S.C. 1302) was again a case for amendment of election petition for better particulars and the Supreme Court observed that while a corrupt practice has got to be strictly proved but from that it does not follow that a pleading in an election proceeding should receive a strict construction. Rules of pleadings are intended as aids for a fair trial and for reaching a just decision. An action at law should not be equated to a game of chess. Provisions of law are not mere formulas to be observed as rituals. Beneath the words of a

provision of law, generally speaking there lies a juristic principle. It is the duty of the court to ascertain that principle and implement it.

20. The observations made in the aforesaid cases cannot and should not be read out of context. Except for the case of *Rajnarin*, other cases do not even relate to election petitions. Observations have been made while dealing with the question of admitting additional evidence or allowing amendment of question of limitation. Even in *Rajnarin's* case it is context of the rules of pleadings that the aforesaid observations came to be made by the Supreme Court.

21. Dealing with this point the Supreme Court in *F.A. Sapa's case* (supra) has said :

"It is fairly well settled that our election law being statutory complied with since an election petition is not guided by ever changing common law principles of justice and notions of equity. Being statutory in character it is essential that it must conform to the requirements of our election law."

The object behind compliance of procedural rules is explained by the Supreme Court as under :

"Election of a returned candidate can be rendered void on proof of the alleged corrupt practice. In addition thereto he would incur a subsequent disqualification also. This harshness is essential if we want our democratic process to be clean, free and fair. Eradication of corrupt practice from our democratic process is essential if we want it to thrive and remain healthy. Our democratic process will collapse if unhealthy corrupt practices like appeals to vote on basis of caste, creed, community, religion, race, language, etc. are allowed to go unchecked and unpunished. Use of corrupt practices in election to secure short term gains at the cost of purity of our democratic process must be frowned at by every right thinking citizen. It is for that reason that the law has provided for double jeopardy to deter candidates, their agents and others from indulging in such nefarious practices. But while there is sufficient justification for the law to be harsh with those who indulge in such practices, there is also the need to ensure that such allegations are made with a sense of responsibility and concern and not merely to vex the returned candidate. It is with this in view that the law envisages that the particulars of such allegations shall be set out fully disclosing the name of the party responsible for the same and the date and place of its commission. A simple verification was considered insufficient and, therefore, the need for an affidavit in the prescribed form. These procedural precautions are intended to ensure that the person making the allegation of corrupt practice realises the seriousness thereof as such a charge would be akin to a criminal charge since it visits the party indulging in such practice with a two fold penalty. That is why this court described it as quasi-criminal in nature in *Manphul Singh Vs. Surinder Singh* (1973) 2 SCC 599 at p. 608 : (AIR 1973 SC 2158 at pp. 2164-65) and reiterated the same in *K. M. Mani Vs. P. J. Antony* (1979) 1 S.C.R. 701 : (AIR 1979 S.C. 234). Hence the insistence that each ingredient of the charge must be satisfactorily proved before a verdict of guilt is recorded by the Court. In *Mani's case* this court held that the allegations must be established beyond reasonable doubt and not merely by a preponderance of probability. It is, therefore, equally essential that the particulars of the charge or allegation are clearly and precisely stated in the election petition to afford a fair opportunity to the person against whom it is levelled to effectively counter the same."

What should an election petition contain, is enumerated in Section 83 of the Act where allegations of corrupt practice have been made by the petitioner calling in question of the election of returned candidate the Supreme Court has held as follows :

"But, in cases where the petitioner has alleged corrupt practice that it is not enough, the proviso demands that the petition shall be accompanied by an affidavit in the prescribed form supporting the allegation of such corrupt practice and the particulars thereof."

22. In view of the foregoing discussion Shri Mathur's contention that procedural requirement as regards the affidavit in relation to allegations of corrupt practice made in an election petition should not be insisted upon, deserved to be rejected and is accordingly rejected. The copy of the affidavit in support of the allegations of corrupt practice as supplied to the respondent No. 1, runs into five pages. The endorsement made on each of these pages reads as follows:

"True copy attested"

Sd/- Illegible, Petitioner"

on pages 1 to 4 and the last page i.e. fifth page bears the endorsement "true copy attested". It would thus be seen that there is absolutely no reference to the officer or Commissioner or Magistrate who attested this affidavit nor the date and place of such attestation has been mentioned.

23. Shri Maheshwari, learned counsel for the respondent contended that it was incumbent upon the petitioner to have supplied a true copy of the affidavit bearing the endorsement as made by the Notary with the designation. The absence of endorsement of the Notary affirmed and signed before me cannot be treated as of no consequence. It was urged that it should not be overlooked that this affidavit has been sworn in support of allegations of corrupt practice and it is also evident that the respondent was not supplied or served with the corrupt copy of the petition as contemplated by section 81(3) of the Act.

24. The petitioner has not disputed the correctness of copy of the petition before me, as served on the respondent and placed by him on record alongwith summons on 10-7-92.

25. Shri Maheshwari, learned counsel for the respondent referring to the following cases—(1) Mithilesh Kumar Pandey Vs. Baidyanath Yadav and Ors. (A.I.R. 1984 S.C. 305), (2) Rajendrasingh vs. Smt. Usha Rani and Ors. (A.I.R. 1984 S.C. 957), (3) Sharif-ud-Din vs. Abdul Gani Lone (A.I.R. 1980 S.C. 303) and (4) Smt. Sahodrabai Rai vs. Ramsingh Aharwar and Ors. (A.I.R. 1968 S.C. 1079), contended that for want of endorsement on the affidavit, an integral part of the petition, amounts to noncompliance of provisions of section 81(3) of the Act which renders the petition as not maintainable.

26. Shri Mathur, learned counsel for the petitioner has also placed reliance upon Mithilesh Kumar Pandey's case and referred to para 15 thereof. He also invited attention to paras 7 and 10 of Sapa's case and contended that a defect in attestation of affidavit is not a substantial defect.

27. The Supreme Court considering the provisions of the Act, the rule 94-A of the Rules and Form 25 has given a brief resume of the case law dealing with the cases relied upon by the parties as in para 27 of Sapa's case held as follows:

"From the text of the relevant provisions of the R.P. Act, Rule 94A and Form 25 as well as Order 6, Rule 15 and Order 19, Rule 3 of the Code and the resume of the case law discussed above it clearly emerges (i) a defect in the verification, if any, can be cured, (ii) it is not essential that the verification

clause at the foot of the petition or the affidavit accompanying the same should disclose the grounds or sources of information in regard to the averments or allegations which are based on information believed to be true, (iii) if the respondent desires better particulars in regard to such averments or allegations, he may call for the same in which case the petitioner may be required to supply the same, and (iv) the defect in the affidavit in the prescribed form 25 can be cured unless the affidavit forms an integral part of the petition, in which case the defect concerning material facts will have to be dealt with, subject to limitation, under section 81(3) as indicated earlier. Similarly the court would have to decide in each individual case whether the schedule or annexure referred to in section 83(2) constitutes an integral part of the election petition or not; different considerations will follow in the case of the former as compared to those in the case of the latter."

28. In the case at hand the affidavit as sworn by the petitioner in support of the allegations of corrupt practices being an integral part of the petition, has not been supplied to the respondent in its true form. Being an integral part of the petition, failure to comply with the requirement of section 81(3) of the Act, renders the petition liable to summary dismissal (see para 29 of Sapa's case—supra).

29. It was argued by Shri Maheshwari learned counsel for the respondent that it is not part of the respondent's duty to wade through the entire record in order to find out whether the copies supplied to him were correct one. In the absence of the endorsement of the Notary on the copy supplied to the respondent no. 1, it was not possible for him to know whether the affidavit was really sworn and if so before whom and on what date. In the circumstances, it cannot be held that the copy supplied to the returned candidate confirms to the requirement of section 81(3) of the Act. (See AIR 1984 SC 956 Rajendrasingh vs. Usharani Purushottam vs. Returning Officer, Amrawati A.I.R. 1992 Bombay 227).

30. Shri Mathur learned counsel for the petitioner also raised issue of delay in making application (I.A. No. 9/92).

31. Considering the stage at which the application was made, it cannot be said that there was any undue delay on the part of the respondent; more so in view of an earlier application (I.A. No. 15/91) filed on 3-12-91 and the subsequent application I.A. No. 9/92 is nothing but an elaboration of the objections raised in I.A. No. 15/91.

32. In view of the foregoing discussions, the objections raised by the respondent deserves to be upheld and is accordingly upheld. The omission in the copy of the affidavit as supplied and sworn cannot be held to be inconsequential. There is noncompliance of provisions of section 81(3) of the Act. The affidavit as served on the respondent does not even show that it was sworn before any Notary or the Magistrate. This petition deserves to be dismissed on that ground alone.

33. This petition is accordingly dismissed with costs. Counsel's fee Rs. 2500, if certified.

Sd/- V. D. Gyani,

JUDGE

dated 12-92

#### SCHEDULE OF COSTS

Particulars	Appellant	Respondent
	Applicant	Non-Applciant
Court-fee on Memo of Appeal and Application	Rs. P. 26.00	Rs. P. 10.50
Court fee on power of attorney	10.00	20.00
Court fee on exhibits	—	—
Court fee on process	13.00	—
Counsel's fee on Rs. ....	Certificate not filed	—
Paper Book	—	—
Total	49.00	30.50

नई दिल्ली, 3 अप्रैल, 1993

आ. प्र. 81.—लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की धारा 13क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग नागालैंड सरकार के परामर्श से, भारतीय प्रशासन सेवा के श्री लालहुमा की, 29 अगस्त, 1990 की अधिसूचना संख्या 154/नागालैंड/90 द्वारा, नागालैंड राज्य में मुख्य निर्वाचन अधिकारी के रूप में नामित किया था;

2. और अधिसूचना संख्या 464/नागा. वि. स./92(1) द्वारा 18 फरवरी, 1993 को उस तारीख के रूप में नियत किया गया था जिसके पूर्व नागालैंड विधान सभा के साधारण निर्वाचन पूरे कर लिए जाएंगे,

3. और, उपर्युक्त तारीख से पहले निर्वाचन पूरे न कर सकने के कारण श्री लालहुमा ने समय बढ़ाने के लिए अनुरोध किया,

4. और आयोग का यह समाधान हो गया है कि श्री लालहुमा की ओर से अकुशलता, अक्षमता और पहले से योजना न बनाए जाने के कारण आयोग के वाममूलक नियत तारीख को, जिससे पूर्व निर्वाचन पूरे करने से बढ़ाने के अतिरिक्त कोई विकल्प नहीं रह गया था,

5. अतः, अब, लोक प्रतिनिधित्व अधिनियम 1950 की धारा 13क और लोक प्रतिनिधित्व अधिनियम 1951 की धारा 20 के साथ पठित भारत के संविधान के अनुच्छेद 324 द्वारा प्रदत्त शक्तियों और इसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, आयोग निदेश देता है कि श्री लालहुमा तत्काल प्रभाव से नागालैंड राज्य के मुख्य निर्वाचन अधिकारी नहीं रहेंगे।

[सं. 154/नागालैंड/93]

आदेश और भारत निर्वाचन आयोग के  
नाम से  
के.पी.जी. कुट्टी, सचिव

New Delhi, the 3rd April, 1993

O.N. 81.—Whereas, in exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission of India, in consultation with the Government of Nagaland, had nominated Shri Lalhuma, IAS, as the Chief Electoral Officer in the State of Nagaland vide Notification No. 154/NL/90 dated 29th August, 1990;

2. And whereas, by Notification No. 464/NL-LA/92(1), dated 12-1-93, the date before which the General Elec-

tion to the Legislative Assembly of Nagaland shall be completed was fixed as the 18th February, 1993;

3. And whereas, Shri Lalhuma could not complete the election before the above date and requested for extension of time;

4. And whereas, the Commission is satisfied that because of the inefficiency, incompetence and lack of advance planning on the part of Shri Lalhuma, the Commission was left with no alternative except to extend the time before which the election shall be completed beyond the date originally fixed;

5. Now, therefore, the Commission, in exercise of its powers conferred on it by Article 324 of the Constitution of India read with section 13A of the Representation of the People Act, 1950 and section 20 of the Representation of the People Act, 1951 and all other powers enabling it in this behalf, directs that Shri Lalhuma shall cease to be the Chief Electoral Officer of the State of Nagaland with immediate effect.

[No. 154/NL/93]

By order and in the name of  
Election Commission of India  
K. P. G. KUTTY, Secy.

नई दिल्ली, 7 अप्रैल, 1993

आ. प्र. 82.—भारत के संविधान के अनुच्छेद 324 और लोक प्रतिनिधित्व अधिनियम, 1950 की धारा 13क की उपधारा (1) तथा लोक प्रतिनिधित्व अधिनियम 1951 की धारा 20 के अधीन प्रदत्त शक्तियों और इसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग इसके द्वारा तारीख 14-2-1993 की अधिसूचना सं. 154/प.बं./93 को रद्द करता है जिसके द्वारा आयोग ने श्री एन. के. एस. झाला, भारतीय प्रशासन सेवा, मन्त्रि, पश्चिम बंगाल सरकार को भार ग्रहण करने की तारीख से अगले आदेशों तक पश्चिम बंगाल राज्य के लिए मुख्य निर्वाचन अधिकारी के रूप में नाम निर्देशित किया था।

[संख्या 154/प.बं./93]

आदेश से,  
के.पी.जी. कुट्टी, सचिव

New Delhi, the 7th April, 1993

O.N. 82.—In exercise of the powers conferred under Article 324 of the Constitution of India and sub-section (1) of section 13A of the Representation of the People Act, 1950 and section 20 of the Representation of the People Act, 1951 and all other powers enabling it in that behalf, the Election Commission hereby cancels the Notification No. 154/WB/93 dated 14-2-1993 by which the Commission had nominated Shri N. K. S. Jhala, IAS, Secretary to the Government of West Bengal as the Chief Electoral Officer for the State of West Bengal with effect from the date he takes over charge and until further orders.

[No. 154/WB/93]

By Order,  
K. P. G. KUTTY, Secy.

